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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,615	03/17/2006	Frank Uittenbogaard	NL 031123	7656
24737 7590 09/30/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
SONG, DAHIO D				
ART UNIT		PAPER NUMBER		
2176				
MAIL DATE		DELIVERY MODE		
09/30/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/572,615

**Applicant(s)**

UITTENBOGAARD, FRANK

**Examiner**

DAEHO D. SONG

**Art Unit**

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Applicant's Response***

In Applicant's Response dated 07/29/2008, Applicant amended Claims 1, 7 and 8, and argued against all rejections previously set forth in the Office Action dated 03/19/2008.

In light of Applicant's amendments and remarks, the rejections of Claims 7 and 8 under 35 U.S.C. 101 are withdrawn.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is rejected because it recites the limitation "at that instant" in line 10, and It is vague and unclear what instant refers to and/or there is insufficient antecedent basis for this limitation "that instant".

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being **clearly** anticipated by Beach et al. (hereinafter Beach): U.S. Patent No. 5,953,017.

Beach **expressly** teaches:

*Claim 1. Method for navigating through a displayed hierarchical data structure including a parent node and a plurality of child nodes the method comprising:*

*displaying the parent node at a parent position, displaying each of the plurality of child nodes at a respective child node position (fig. 4: displaying the parent node and the child nodes in a hierarchical data structure);*

*assigning a parent relevance grade to the parent node and assigning a respective relevance grade to each of the plurality of child nodes (fig. 5: assigning a parent relevance grade to the parent node and a respective relevance grade to each of child nodes);*

*navigating through the displayed hierarchical data structure (fig. 4; col. 1 lines 27-35: navigating through the hierarchical data structure);*

*automatically hiding, upon navigation through the displayed hierarchical data structure, a child node of the plurality of child nodes, based upon the respective relevance grade of each child node with respect to user navigation position at that instant (fig. 5; col. 6 lines 6-48: compressing/hiding a child node of the plurality of child nodes automatically by operation of display-object manager, based upon the respective relevance grade of each child with respect to user navigation position); and*  
*displaying a reference node at a reference node position in stead of displaying the hidden child node, wherein the reference node position is related to the child node position (fig. 5; col. 6 lines 6-48: displaying a reference node whose position is related to the child node position).*

*Claim 2. A method according to claim 1, the method comprising: selecting the reference node; and displaying the child node at the child node position in stead of displaying the reference node, upon selecting the reference node (fig. 5; col. 6 lines 53-48: selecting the reference node and displaying the child node by means of uncompress operation).*

*Claim 3. A method according to claim 1, wherein navigating through the displayed hierarchical data structure and hiding the child node are in opposite directions (figs. 4 & 5: navigating the hierarchical data structure and compressing/hiding the child node are in opposite direction).*

*Claim 4. A method according to claim 1, wherein the relevance grade depends upon at*

*least one of: a number of child nodes of the parent node, a selected child node or a selected parent node* (fig. 5; col. 6 lines 6-32: the relevance grade depends upon a number of child nodes).

*Claim 5. A method according to claim 1, wherein the relevance grade comprises an ordering and hiding the child node depends upon this ordering* (figs. 4 & 5; col. 5 lines 50-67; col. 6 lines 1-48: the relevance grade comprising an ordering and hiding the child node depends upon the ordering).

*Claim 6. A method according to claim 1, wherein the displayed reference node reflects a number of child nodes, of the plurality of child nodes, which are hidden* (fig. 5; col. 6 lines 6-32: the reference node reflecting the number of child nodes that have been hidden).

*Claims 7 and 8:*

The subject matter recited in Claims 7 and 8 corresponds to the subject matter recited in Claims 1 and 2, respectively. Thus Beach discloses every limitation of Claims 7 and 8, as indicated in the above rejections for Claims 1 and 2.

*Claim 9. Computer readable medium having stored thereon instructions for causing one or more processing units to perform the method according to claim 1* (fig. 3; col. 4 lines 60-67).

***Response to Arguments***

3. Applicant's arguments against the rejections based on 35 U.S.C. 102 with respect to Claims 1-9 have been considered but are moot in view of the new grounds of rejection.

***Conclusion***

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 5712724137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daeho D Song/  
Examiner, Art Unit 2176

/Rachna S Desai/  
Primary Examiner, Art Unit 2176